

COMMITTEE REPORT

MR. PRESIDENT:

The Senate Committee on Governmental Affairs and Interstate Cooperation, to which was referred House Bill No. 1242, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1 Page 3, between lines 27 and 28, begin a new paragraph and insert:
2 "SECTION 3. IC 5-13-11-2.5 IS ADDED TO THE INDIANA
3 CODE AS A NEW SECTION TO READ AS FOLLOWS
4 [EFFECTIVE JULY 1, 2003]: **Sec. 2.5. (a) A contract may be**
5 **renewed under this chapter if the county board of finance for a**
6 **county subject to IC 5-13-7-1 or the fiscal body of a political**
7 **subdivision and the investing officer of the political subdivision**
8 **agree with the depository to renew the contract under the same**
9 **terms or better terms as the original contract.**
10 **(b) The term of a renewed contract may not be longer than the**
11 **term of the original contract.**
12 **(c) A contract may be renewed any number of times."**
13 Page 4, between lines 11 and 12, begin a new paragraph and insert:
14 "SECTION 6. IC 6-1.1-23-1 IS AMENDED TO READ AS
15 FOLLOWS [EFFECTIVE JULY 1, 2003]: **Sec. 1. (a) Annually, after**
16 **November 10th but prior to August 1st of the succeeding year, each**
17 **county treasurer shall serve a written demand upon each county**
18 **resident who is delinquent in the payment of personal property taxes.**
19 **The written demand may be served upon the taxpayer:**
20 **(1) by registered or certified mail;**

- 1 (2) in person by the county treasurer or ~~his deputy~~; **the county**
 2 **treasurer's agent**; or
 3 (3) by proof of certificate of mailing.
- 4 (b) The written demand required by this section shall contain:
- 5 (1) a statement that the taxpayer is delinquent in the payment of
 6 personal property taxes;
 7 (2) the amount of the delinquent taxes;
 8 (3) the penalties due on the delinquent taxes;
 9 (4) the collection expenses which the taxpayer owes; and
 10 (5) a statement that if the sum of the delinquent taxes, penalties,
 11 and collection expenses are not paid within thirty (30) days from
 12 the date the demand is made then:
- 13 (A) sufficient personal property of the taxpayer shall be sold
 14 to satisfy the total amount due plus the additional collection
 15 expenses incurred; or
 16 (B) a judgment may be entered against the taxpayer in the
 17 circuit court of the county.
- 18 SECTION 7. IC 6-1.1-26-6 IS AMENDED TO READ AS
 19 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 6. (a) Notwithstanding
 20 the other provisions of this chapter, each county treasurer shall place
 21 the portion of a tax or special assessment payment which exceeds the
 22 amount actually due, as shown by the tax duplicate or special
 23 assessment records, in a special fund to be known as the "surplus tax
 24 fund". Amounts placed in the fund shall first be applied to the
 25 taxpayer's delinquent taxes in the manner provided in IC 6-1.1-23-5(b).
 26 The taxpayer may ~~then~~ **at any time** file a verified claim for money
 27 remaining in the surplus tax fund. **The claim must include the**
 28 **taxpayer's proof of payment.** The county treasurer or county auditor
 29 shall require reasonable proof of payment by the ~~person~~ **taxpayer**
 30 making the claim. **Not later than fourteen (14) days after the filing**
 31 **of the claim, the county auditor and the county treasurer shall**
 32 **approve or disapprove the claim.** If the claim is approved by the
 33 county auditor and the county treasurer, the county auditor shall issue
 34 a warrant to the taxpayer **not later than ten (10) days after the date**
 35 **of approval** for the amount due the taxpayer.
- 36 (b) Not less frequently than at the time of each semiannual
 37 settlement, the county treasurer shall prepare duplicate schedules of all
 38 excess payments received. The schedules shall contain the name on the

1 tax duplicate, the amount of excess paid, and the taxing district. The
 2 county treasurer shall deliver one (1) copy of the schedule to the county
 3 auditor. Within fifteen (15) days after receiving the schedule, the
 4 county auditor shall review the schedule, and if the county auditor
 5 concurs with the schedule, the county auditor shall notify the county
 6 treasurer that the notice required under subsection (d) may be sent. The
 7 county auditor shall preserve the schedule, and if a refund is
 8 subsequently made, he shall note on the schedule and notify the county
 9 treasurer of the date and amount of the refund. In addition, when
 10 money is transferred from the surplus tax fund to the county general
 11 fund under subsection (c), the county auditor shall note the date and
 12 amount of the transfer on the schedule.

13 (c) If an excess payment is not claimed within the three (3) year
 14 period after November 10 of the year in which the payment was made
 15 and the county treasurer has given the written notice required under
 16 subsection (d), the county auditor shall transfer the excess from the
 17 surplus tax fund into the general fund of the county. If the county
 18 treasurer has given written notice concerning the excess under
 19 subsection (d), the excess may not be refunded under subsection (a)
 20 after the expiration of that three (3) year time period.

21 (d) This subsection applies only if the amount of an excess payment
 22 is more than five dollars (\$5) and exceeds the amount applied under
 23 subsection (a) to property taxes that are delinquent at the time that the
 24 excess payment is transferred to the surplus tax fund. Not later than
 25 forty-five (45) days after receiving the notification from the county
 26 auditor under subsection (b), the county treasurer shall give the
 27 taxpayer who made the excess payment written notice that the taxpayer
 28 may be entitled to a refund. The notice shall be mailed to the last
 29 known address of the taxpayer as listed on the tax duplicate or the most
 30 current record of the county treasurer. The notice must contain at least
 31 the following information:

- 32 (1) A statement that the taxpayer may be entitled to a refund
- 33 because the taxpayer made an excess payment.
- 34 (2) The amount of the refund.
- 35 (3) Instructions on how to claim the refund.
- 36 (4) The date before which the refund must be claimed under
- 37 subsection (c).
- 38 (5) An explanation that the amount of the refund will be reduced

by any amount applied to property taxes that are delinquent.".

Page 4, between lines 37 and 38, begin a new paragraph and insert:

"SECTION 11. IC 8-23-3-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2004]: Sec. 8. (a) The public mass transportation fund is established for the purpose of promoting and developing public mass transportation in Indiana. The fund shall be administered by the department.

(b) The treasurer of state may invest the money in the fund in the same manner as other public funds may be invested.

(c) Money in the fund at the end of a fiscal year does not revert to the state general fund.

~~(d) Money distributed from the fund in a county containing a consolidated city must be distributed to the consolidated city for promoting and developing public mass transportation and not to a public transportation corporation located within the county.~~

SECTION 12. IC 20-14-7-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 2. (a) The library board of any public library established as a 1901 city or town library consists of qualified and experienced persons of at least eighteen (18) years of age who have been residents of the municipality where the library is located for at least two (2) years immediately preceding their appointment. The members shall be appointed for two (2) year terms as follows:

(1) The board of commissioners of the county where the library is located shall appoint one (1) member.

(2) The fiscal body of the county where the library is located shall appoint one (1) member.

(3) The municipal executive shall appoint one (1) member.

(4) The municipal legislative body shall appoint one (1) member.

(5) The school board of the school corporation where the library is located shall appoint three (3) members who may be members of the school board.

(b) If a vacancy occurs on the library board for any cause, the appointing authority shall fill the respective vacancy. The appointing authority may at any time, for cause shown, remove any member of the library board and appoint a new member to fill the vacancy occasioned by this removal.

(c) The library board members shall serve without compensation.

(d) All appointments to membership on the library board shall be evidenced by certificates of appointment signed by the appointing authority. Certificates of appointment shall be handed to or mailed to the address of the appointee. Within ten (10) days after receiving the certificates of appointment, the appointees shall take an oath of office, before the clerk of the circuit court, that the appointee will faithfully discharge ~~his~~ **the appointee's** duties as a member of the library board to the best of ~~his~~ **the appointee's** ability. The appointee shall file the certificate, with the oath endorsed on it, with the clerk of the circuit court of the county in which the library is located.

(e) Within five (5) days after all the members of the library board have been appointed and have taken the oath of office, the members shall meet and organize by electing one (1) of their number president, one (1) vice president, and one (1) secretary. They shall also select committees or an executive board to carry on the work of the board should they determine that committees or an executive board is necessary for this purpose.

(f) The facilities of a public library established as a 1901 city or town library are open and free for the use and benefit of all of the residents of the library district.

(g) The fiscal officer ~~(or county treasurer acting under IC 36-4-10-6)~~ of the municipality operating a public library under this section shall prepare and file with the municipal legislative body, before January 16 each year, an itemized statement, under oath, of all the receipts and disbursements of the library board for the year ending December 31 immediately preceding the preparing and filing of the report. The report must contain an itemized statement of the sources of all receipts, of all disbursements made, and of the purpose for which each was made. This annual report may be inspected by the citizens of the municipality and township in which the library is located."

Page 5, line 37, strike "to receive transfers of unused and".

Page 5, line 38, strike "unencumbered funds".

Page 5, line 38, delete "made".

Page 5, line 38, strike "under section 5 of this chapter." and insert **"by the adoption of:**

(1) an ordinance, in the case of a county, city, or town; or

(2) a resolution, in the case of any other political subdivision."

Page 7, between lines 5 and 6, begin a new paragraph and insert:

1 "SECTION 17. IC 36-2-7-9 IS AMENDED TO READ AS
 2 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 9. (a) ~~When the county~~
 3 ~~treasurer performs duties in a second class city under IC 36-4-10-6, the~~
 4 ~~treasurer shall pay fees accruing exclusively on city business into the~~
 5 ~~general fund of the city.~~

6 (b) This chapter does not require the county sheriff to pay the
 7 following into the county general fund:

8 (1) Any damages set forth in a warrant that is issued by the
 9 department of state revenue and on which collection is made by
 10 the sheriff, including damages prescribed by IC 6-8.1-8.

11 (2) Sums, other than court fees, retained by the circuit court clerk
 12 for the sheriff from the collections obtained by warrants of the
 13 department of workforce development.

14 (3) Sums allowed by IC 36-8 to sheriffs for the feeding of
 15 prisoners.

16 SECTION 18. IC 36-4-6-19 IS AMENDED TO READ AS
 17 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 19. (a) The legislative
 18 body may, by ordinance, make loans of money and issue bonds for the
 19 purpose of refunding those loans. The loans may be made only for the
 20 purpose of procuring money to be used in the exercise of the powers of
 21 the city or for the payment of city debts.

22 (b) An ordinance adopted under this section:

23 (1) must include the terms of the bonds to be issued in evidence
 24 of the loan;

25 (2) must include the time and manner of giving notice of the sale
 26 of the bonds;

27 (3) must include the manner in which the bonds will be sold; and

28 (4) may authorize a total amount for any issue of bonds.

29 (c) Bonds issued under this section may be sold in parcels of any
 30 size and at any time their proceeds are needed by the city.

31 (d) Bonds issued and sold by a city under this section:

32 (1) are negotiable with or without registration, as may be provided
 33 by the ordinance authorizing the issue;

34 (2) may bear interest at any rate;

35 (3) may run not longer than thirty (30) years;

36 (4) may contain an option allowing the city to redeem them in
 37 whole or in part at specified times prior to maturity; and

38 (5) may be sold for not less than par value.

(e) The city fiscal officer shall:

- (1) manage and supervise the preparation, advertisement, negotiations, and sale of bonds under this section, subject to the terms of the ordinance authorizing the sale;
- (2) certify the amount the purchaser is to pay, together with the name and address of the purchaser;
- (3) receive the amount of payment certified;
- (4) deliver the bonds to the purchaser;
- (5) take a receipt for the securities delivered;
- (6) pay the purchaser's payment into the city treasury; and
- (7) report the proceedings in the sale to the legislative body.

The actions of the fiscal officer under this subsection are ministerial.

~~(f) This subsection applies only to second class cities subject to IC 36-4-10-6. Notwithstanding subsection (e), the fiscal officer of a city selling bonds under this section shall deliver them to the county treasurer after they have been properly executed and shall take his receipt for them. When a contract for the sale of all or any part of the bonds is consummated, the fiscal officer shall certify to the county treasurer the amount the purchaser is to pay, together with the name and address of the purchaser. The county treasurer shall then receive from the purchaser the amount certified by the fiscal officer, deliver the bonds to the purchaser, and take the purchaser's receipt for the bonds. The fiscal officer and county treasurer shall then report the proceedings in the sale to the legislative body. However, if the county treasurer is not present to receive the properly executed bonds from the fiscal officer or to issue the bonds, the fiscal officer shall proceed under subsection (e)."~~

Page 7, delete lines 36 through 42.

Page 8, delete lines 1 through 25.

Page 9, between lines 26 and 27, begin a new paragraph and insert:

"SECTION 22. IC 36-8-6-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 2. (a) A police pension fund to be known as the 1925 fund is established in each municipality described in section 1(a) of this chapter.

(b) The 1925 fund shall be managed by a board of trustees (referred to as the "local board" in this chapter) having at least seven (7) but not more than nine (9) trustees, as follows:

- (1) The municipal executive, the municipal fiscal officer, ~~(except~~

1 in a city subject to IC 36-4-10-6, in which case the county
 2 treasurer); and the police chief, who are ex officio voting
 3 members of the local board.

4 (2) One (1) retired member of the police department.

5 (3) At least three (3) but not more than five (5) active members of
 6 the police department.

7 However, in cities where there are not sufficient members of the police
 8 department to appoint a local board consisting of at least five (5)
 9 trustees, the local board may be composed of three (3) trustees, those
 10 being the executive, the fiscal officer, and the police chief.

11 (c) The trustees under subsections (b)(2) and (b)(3) shall be elected
 12 at a meeting of the members of the police department at the central
 13 police station on the second Monday in February of each year. The
 14 trustees are elected for terms of three (3) years, succeeding those
 15 trustees whose terms of office expire on that date. The trustees hold
 16 their offices until their successors are elected and qualified.

17 (d) If a vacancy occurs on the local board among those trustees
 18 elected by the police department, the police department shall, within a
 19 reasonable time, hold a special meeting upon the call of the municipal
 20 executive and elect a successor for the remainder of the trustee's term.

21 (e) A majority of all the trustees constitutes a quorum for the
 22 transaction of business.

23 (f) The trustees receive no pay for their services and shall be paid
 24 only their necessary expenses. However, the trustees, the secretary, and
 25 each member of the police department selected by the local board shall
 26 be paid their necessary traveling expenses from the 1925 fund when
 27 acting upon matters pertaining to the fund.

28 (g) The local board may make all necessary bylaws for:

29 (1) meetings of the trustees;

30 (2) the manner of their election, including the counting and
 31 canvassing of the votes;

32 (3) the collection of all money and other property due or
 33 belonging to the 1925 fund;

34 (4) all matters connected with the care, preservation, and
 35 disbursement of the fund; and

36 (5) all other matters connected with the proper execution of this
 37 chapter.

38 SECTION 23. IC 36-8-6-3 IS AMENDED TO READ AS

FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 3. (a) The municipal executive is president of the local board, the municipal fiscal officer ~~(or county treasurer)~~ is its treasurer, and the local board shall select one (1) of its members secretary. The secretary shall be paid out of the 1925 fund a sum for ~~his~~ **the secretary's** services as fixed by the local board.

(b) The president shall preside over all meetings of the local board, call special meetings of the police department of the city, and preside over the annual and called meetings of the department concerning the 1925 fund.

(c) The treasurer:

(1) has custody of all money and securities due or belonging to the 1925 fund and shall collect the principal and interest on them;

(2) is liable on ~~his~~ **the treasurer's** bond as an officer for the municipality for the faithful accounting of all money and securities belonging to the fund that come into ~~his~~ **the treasurer's** hands;

(3) shall keep a separate account showing at all times the true condition of the fund; and

(4) shall, upon the expiration of ~~his~~ **the treasurer's** term of office, account to the local board for all money and securities coming into ~~his~~ **the treasurer's** hands, including the proceeds of them, and turn over to ~~his~~ **the treasurer's** successor all money and securities belonging to the fund remaining in ~~his~~ **the treasurer's** hands.

(d) The secretary shall:

(1) keep a true account of the proceedings of the local board and of the police department of the municipality when acting upon matters relating to the 1925 fund;

(2) keep a correct statement of the accounts of each member with the fund;

(3) collect and turn over to the treasurer of the local board all money belonging to the fund;

(4) give the local board a monthly account of ~~his~~ **the secretary's** acts and services as secretary; and

(5) turn over to ~~his~~ **the secretary's** successor all books and papers pertaining to the office.

(e) The secretary shall, in the manner prescribed by IC 5-4-1, execute a bond conditioned upon the faithful discharge of ~~his~~ **the**

1 **secretary's duties.**

2 (f) The secretary and treasurer shall make complete and accurate
3 reports of their trusts to the local board on the first Monday in February
4 of each year, copies of which shall be filed with the municipal clerk.
5 The books of the secretary and treasurer must be open at all times to
6 examination by members of the local board.

7 (g) Each member of the police department shall turn over to the
8 secretary of the local board, within thirty (30) days after receiving it, all
9 money and securities belonging to the 1925 fund that come into ~~his~~ **the**
10 **secretary's** hands.

11 SECTION 24. IC 36-8-7-10, AS AMENDED BY P.L.35-1999,
12 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
13 JULY 1, 2003]: Sec. 10. (a) The local board shall determine how much
14 of the 1937 fund may be safely invested and how much should be
15 retained for the needs of the fund. Investments are restricted to the
16 following:

17 (1) Interest bearing direct obligations of the United States or of
18 the state or bonds lawfully issued by an Indiana political
19 subdivision. The securities shall be deposited with and must
20 remain in the custody of the treasurer of the local board, who shall
21 collect the interest on them as it becomes due and payable.

22 (2) Savings deposits or certificates of deposit of a chartered
23 national, state, or mutual bank whose deposits are insured by a
24 federal agency. However, deposits may not be made in excess of
25 the amount of insurance protection afforded a member or investor
26 of the bank.

27 (3) Shares of a federal savings association organized under 12
28 U.S.C. 1461, as amended, and having its principal office in
29 Indiana, or of a savings association organized and operating under
30 Indiana statutes whose accounts are insured by a federal agency.
31 However, shares may not be purchased in excess of the amount of
32 insurance protection afforded a member or investor of the
33 association.

34 (4) An investment made under IC 5-13-9.

35 (b) All securities must be kept on deposit with the unit's fiscal
36 officer, ~~or county treasurer acting under IC 36-4-10-6~~, who shall collect
37 all interest due and credit it to the 1937 fund.

38 (c) The fiscal officer (~~or county treasurer~~) shall keep a separate

1 account of the 1937 fund and shall fully and accurately set forth a
 2 statement of all money received and paid out by him. The officer shall,
 3 on the first Monday of January and June of each year, make a report to
 4 the local board of all money received and distributed by him. The
 5 president of the local board shall execute the officer's bond in the sum
 6 that the local board considers adequate, conditioned that ~~he~~ **the fiscal**
 7 **officer** will faithfully discharge the duties of ~~his~~ **the fiscal officer's**
 8 office and faithfully account for and pay over to the persons authorized
 9 to receive it all money that comes into ~~his~~ **the fiscal officer's** hands by
 10 virtue of ~~his~~ **the fiscal officer's** office. The bond and sureties must be
 11 approved by the local board and filed with the executive of the unit.
 12 The local board shall make a full and accurate report of the condition
 13 of the 1937 fund to the unit's fiscal officer on the first Monday of
 14 February in each year.

15 (d) All securities that were owned by and held in the name of the
 16 local board on January 1, 1938, shall be held and kept for the local
 17 board by the unit's fiscal officer (~~or county treasurer~~) until they mature
 18 and are retired. However, if an issue of the securities is refunded, the
 19 local board shall accept refunding securities in exchange for and in an
 20 amount equal to the securities refunded. All money received by the
 21 local board for the surrender of matured and retired securities shall be
 22 paid into and constitutes a part of the 1937 fund of the unit, as provided
 23 in section 8 of this chapter.

24 (e) Investments under this section are subject to section 2.5 of this
 25 chapter.

26 SECTION 25. IC 36-8-7-20 IS AMENDED TO READ AS
 27 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 20. All money that is
 28 collected and received by the local board or an officer of it by virtue of
 29 subdivisions (1) through (4) of section 8 of this chapter shall be paid to
 30 the unit's fiscal officer, (~~or county treasurer~~); who shall credit this
 31 money to the 1937 fund. The 1937 fund is a public fund for purposes
 32 of IC 5-13.

33 SECTION 26. IC 36-8-7-23 IS AMENDED TO READ AS
 34 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 23. The unit's fiscal
 35 officer ~~or county treasurer acting under IC 36-4-10-6~~, is the custodian
 36 of all money belonging to the 1937 fund, and all money belonging to
 37 the fund shall be promptly paid to the officer. The officer is liable on
 38 ~~his~~ **the officer's** bond for the faithful performance of all duties imposed

1 upon ~~him~~ **the officer** by this chapter in relation to the fund and for the
 2 faithful accounting of all money and securities that come into ~~his~~ **the**
 3 **officer's** possession and belong to the fund. The officer shall keep a
 4 separate account of the 1937 fund, which must always show the true
 5 condition of the fund."

6 Page 10, between lines 17 and 18, begin a new paragraph and insert:

7 "SECTION 28. IC 36-10-4-16 IS AMENDED TO READ AS
 8 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 16. (a) A tax on the
 9 taxable property in the district, as it appears on the tax duplicate, shall
 10 be levied annually by the city legislative body for park purposes.

11 (b) The tax shall be collected the same as other city taxes are
 12 collected, and the city fiscal officer (~~or county treasurer acting under~~
 13 ~~IC 36-4-10-6~~) shall, between the first and fifth days of each month,
 14 notify the board of the amount of taxes collected for park purposes
 15 during the preceding month. At the date of notification, the city fiscal
 16 officer (~~or county treasurer~~) shall credit the park fund with the amount.

17 (c) The board may expend on behalf of the city all sums of money
 18 collected from:

- 19 (1) taxes;
- 20 (2) the sale of privileges in the parks of the city;
- 21 (3) the sale of bonds of the city for park purposes; and
- 22 (4) any other source.

23 All gifts, donations, or payments that are given or paid to the city for
 24 park purposes belong to the general park fund, the special nonreverting
 25 operating fund, or the special nonreverting capital fund to be used by
 26 the board as provided by this chapter. Warrants for expenditures shall
 27 be drawn by the city fiscal officer upon a voucher of the board signed
 28 by the president or vice president and secretary.

29 (d) The city legislative body may borrow money for the use of the
 30 department and may issue the bonds of the city to pay back the
 31 borrowed money in the manner provided by statute for the issue of
 32 bonds for the general purposes of the city. However, the board may not
 33 contract debts beyond the amount of its annual income and the amount
 34 available from the sale of bonds or other sources.

35 (e) All money remaining in the treasury to the credit of the board at
 36 the end of the calendar year belongs to the general park fund, the
 37 special nonreverting operating fund, or the special nonreverting capital
 38 fund for use by the board for park purposes.

1 (f) Park and recreation facilities and programs shall be made
 2 available to the public free of charge as far as possible. However, if it
 3 is necessary in order to provide a particular activity, the board may
 4 charge a reasonable fee.

5 (g) The city legislative body may establish by ordinance upon
 6 request of the board:

- 7 (1) a special nonreverting operating fund for park purposes from
- 8 which expenditures may be made as provided by ordinance, either
- 9 by appropriation by the board or by the city legislative body; or
- 10 (2) a special nonreverting capital fund for the purpose of
- 11 acquiring land or making specific capital improvements from
- 12 which expenditures may be made by appropriation by the city
- 13 legislative body.

14 The city legislative body shall designate the fund or funds into which
 15 the city fiscal officer ~~(or county treasurer)~~ shall deposit fees from golf
 16 courses, swimming pools, skating rinks, or other major facilities
 17 requiring major expenditures for management and maintenance. Money
 18 received from fees other than from major facilities or received from the
 19 sale of surplus property shall be deposited by the city fiscal officer ~~(or~~
 20 ~~county treasurer)~~ either in the special nonreverting operating fund or
 21 in the nonreverting capital fund, as directed by the board. However, if
 22 neither fund has been established, money received from fees or from
 23 the sale of surplus property shall be deposited in the general park fund.
 24 Money from either special fund may be disbursed only on approved
 25 claims allowed and signed by the president and secretary of the board.

26 (h) Money placed in the special nonreverting capital fund may not
 27 be withdrawn except for the purposes for which the fund was created,
 28 unless the fiscal body repeals the ordinance establishing the fund. The
 29 fiscal body may not repeal the ordinance under suspension of the rules.

30 (i) Money procured from fees or received from the sale of surplus
 31 property shall be deposited at least once each month with the city fiscal
 32 officer.

- 1 SECTION 29. IC 36-4-10-6 IS REPEALED [EFFECTIVE JULY 1,
- 2 2003].".
- 3 Renumber all SECTIONS consecutively.
 (Reference is to HB 1242 as printed February 19, 2003.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

Riegsecker

Chairperson